

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
2:12-cv-02040-JAD-PAL

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APR - 6 2015	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

CRYSTAL L. COX,  
Defendant, Counter Plaintiff

v.

MARC J. RANDAZZA,  
Plaintiffs, Counter Defendant

Motion in Limine  
to include Exhibit 3, 5, 7, 12, and 13  
Attorney Blogs

Counter Plaintiff Cox moves this court to include Exhibit 3, 5, 7, 12 and 13 as evidence that Randazza stated defamatory and false statements regarding Cox to 3rd parties. These blogs are attorneys and clients of Randazza's whom he got to post deliberate false and defamatory statements, knowing full well that they were not true.

Randazza conspired with these attorneys, who are clients and colleagues, and used their high profile legal blogs to deliberately, willfully, wantonly post false and defamatory statements about his former client, Crystal Cox.

*Crystal L Cox*

Crystal L. Cox, Pro Se  
Counter Plaintiff / Defendant

**Certification of Service**

On April 2, 2015, Crystal Cox certifies mailing a copy of this to:

U.S. District Court  
Clerk of Court  
Room 1334

I

333 Las Vegas Blvd. S.  
Las Vegas , NV 89101

*Copy 2 67*



Technology 4 Lives

## Posts Tagged 'Marc Randazza'

### Crystal Cox is Getting So Much Free Speech Coming at Her, She Probably Got Some in Her Eye

April 10th, 2012 | Author: David Wells



There is not much I can add to the saga of Crystal Cox except for a few dirty puns. The bottom line of this story is that a "blogger" is not always a journalist. Sometimes a "blogger" is just an extortionist. I will relate the story by shamelessly quoting from better legal bloggers.

A good summary, in dramatic form, of how Crystal Cox operates comes to us from Jordan Rushie:

Imagine this.... you Google yourself. To your surprise, a whole bunch of stuff that is blatantly untrue comes up. Being an adult, you call the person who wrote it. This is how the conversation goes down:

"Did you write all that stuff on a website about me?"

"Yup. I'm an investigative blogger journalist!"

"Um, a bunch of the stuff you wrote about me is untrue. Actually all of it is."

"Oh sure, I know. But I'm a journalist blogger so I can say whatever I want. First Amendment, bitch! But tell you what – I'm also reputation manager. If you pay me \$2,500 a month, I'm sure a lot of that untrue stuff would go away."

*Exhibit 3*

“Uhhhhhh... wait a second. You wrote a bunch of stuff that’s untrue about me. And now you’ll only take it down if I pay you?”

“Yup! And if you DON’T pay me it’s going to get worse! I’m going to buy a bunch of domain names that involve you and your family. Not only will I smear your reputation, but I’ll smear theirs, too! I’ll write all kinds of stuff, like call your wife a slut! I’ll even go after your four year old child!”

“That’s extortion!”

“No silly, it’s not extortion! It’s journalism! Investigative journalism!”

You’re probably saying to yourself “nah, that couldn’t happen. That’s illegal. A person could get in a lot of trouble for doing something so irresponsible and probably illegal.”

Too bad that’s exactly what Crystal Cox did. Twice now. Maybe more.

Crystal Cox first came to the public’s attention last year, when a judge ruled against her in a defamation suit and ordered her to pay \$2.5 million. After some hand-wringing over what this might mean for other bloggers, it eventually became clear that Crystal Cox actually runs an online, reputation-based protection racket. That is many things, but it ain’t journalism.

At the heart of the current kerfuffle is first amendment bad-ass Marc Randazza (Full disclosure: he’s my lawyer in this thing I’ve got going on. That’s how I know he is a bad-ass.) When Crystal Cox did not get what she wanted from Marc Randazza, she went after him by registering dopey domain names like marcrandazzasucks.com. When that didn’t work, she went after his family, registering domains in the name of his wife and three-year-old daughter.

This is not a valiant warrior fighting the forces of darkness to defend freedom of speech. While it may be true that the front-line warriors for free speech (and I mean the speakers themselves, not their attorneys), are often ultimately fighting to clear the way for people who actually have something useful to say, Crystal Cox doesn’t even fit that description. She is not a reporter, journalist, or even the kind of blogger who just regurgitates other people’s news in a restated format (something about which I know a thing or two.) She is not a blogger in any meaningful, useful, constructive sense. She is a thug, nothing more, as court documents and her own statements and actions amply demonstrate.

Trying to shut her down is not necessarily the answer, though. In some ways, it is helpful to know that people like her are out there. As Marc Randazza says: “Sunshine is the best disinfectant. The cure for bad speech is more speech.”

Consider this my ray of sunshine.

Photo credit: Redwood sunlight by NPS Photo [Public domain], via Wikimedia Commons.



Posted in Defamation, Litigation, Social Media | Tags: Blogging, Calumny, Crystal Cox, Defamation, extortion, First Amendment, Marc Randazza | Comments Closed

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Exhibit 3

amendment/) » Crystal Cox

## Crystal Cox

April 1, 2012 (<http://www.trialtheory.com/bloggng-about-blogging/crystal-cox/>) Written by **Bobby G. Frederick** 2 Comments (<http://www.trialtheory.com/bloggng-about-blogging/crystal-cox/#comments>) (<http://www.trialtheory.com/author/admin/>)

I am a bit late to this story ([http://www.nytimes.com/2011/12/12/business/media/when-truth-survives-free-speech.html?\\_r=2&pagewanted=all](http://www.nytimes.com/2011/12/12/business/media/when-truth-survives-free-speech.html?_r=2&pagewanted=all)), but I feel compelled to add my voice. Last year, a purported "investigative blogger" named Crystal Cox was sued and hit with a \$2.5 million dollar verdict for defamation. Although it may not make a difference for purposes of defamation and considering what she did, the judge in her trial ruled as a matter of law that she was not a journalist, a fact which initially got some bloggers up in arms.

Thanks to a bona-fide investigative blogger, David Carr at the NY Times ([http://www.nytimes.com/2011/12/12/business/media/when-truth-survives-free-speech.html?\\_r=2&pagewanted=all](http://www.nytimes.com/2011/12/12/business/media/when-truth-survives-free-speech.html?_r=2&pagewanted=all)), and thanks to an explosion in the blogosphere following Crystal Cox's attacks on First Amendment Lawyer Marc Randazza (<http://randazza.wordpress.com/2012/03/30/judge-rules-again-that-blogger-crystal-cox-is-not-a-journalist-you-know-why-because-she-isnt-a-journalist/>), the truth came out about what really happened.

Kevin Padrick is an attorney who had been appointed as trustee for a company, Summit Accommodators, that had gone bankrupt. Four senior executives of the company had been charged in federal court with conspiring to defraud the company's clients, but this had nothing to do with Kevin Padrick or his company, Obsidian Finance Group. Padrick was appointed as the trustee, and according to Carr's article, did an excellent job in that capacity.

Crystal Cox, a self-styled "investigative blogger" began an online assault on Padrick, with a series of blog posts and websites that she had created, accusing Padrick and his company of engaging in bribery, tax fraud, money laundering, payoffs and theft, among other things. According to Carr's article, Cox created a large number of URL's and cut-and-pasted documents to portray Mr. Padrick as a "thug," and a "thief" who "committed tax fraud" and who may have "hired a hit man" to kill her while engaging in "illegal and fraudulent activity," which filled up the search results if someone were to google "Kevin Padrick" or "Obsidian Finance Group."

She then sent an email to Padrick, offering "PR services and Search Engine Management Services starting at \$2500.00 a month to promote Law Firms . . . Finance Companies . . . and to protect online reputations and promote businesses." This is what caused the

Exh. B.1-5

damage to Padrick and his company, this is what the lawsuit was about, and this is why she is not a "journalist" such that she should be given any protection as a journalist. The First Amendment does not protect defamation or extortion.

Cox then asked First Amendment lawyer Marc Randazza to take her case and defend her. When he turned her down, she sent him an email letting him know that she had registered the domain name marcrandazza.com, and offering her services as "a very good search engine reputation manager." When Randazza did not respond, she then began to flood the internet with insane posts and websites attacking him. She then registered similar domains in the name of Randazza's wife and his three old child.

Randazza writes (<http://randazza.wordpress.com/2012/03/31/how-crystal-cox-is-helping-to-prove-the-strength-of-the-first-amendment/>) that "the cure to bad speech is more speech." I agree. At any rate, it is how we clean up the vomit that Crystal Cox and others like her leave all over the internet. She is not someone to be taken seriously, she is clearly mentally ill and/or emotionally disturbed, and I doubt that any bloggers would take the time to respond to her kind if it wasn't necessary to clean up after her and, ironically, act as a collective "search engine reputation manager." But it doesn't solve the problem. She will probably continue to do what she is doing, despite the massive response and despite the judgement against her that she probably cannot pay anyway.

Ken at Popehat may have the solution

(<http://www.popehat.com/2012/03/30/investigative-journalist-crystal-coxs-latest-target-an-enemys-three-year-old-daughter/>) to the problem, at least Crystal Cox's particular brand of "search engine reputation management" – Title 18, United States Code, Section 875(d) (<http://www.law.cornell.edu/uscode/text/18/875>):

*(d) Whoever, with intent to extort from any person, firm, association, or corporation, any money or other thing of value, transmits in interstate or foreign commerce any communication containing any threat to injure the property or reputation of the addressee or of another or the reputation of a deceased person or any threat to accuse the addressee or any other person of a crime, shall be fined under this title or imprisoned not more than two years, or both.*

Mark Bennett at Defending People (<http://blog.bennettandbennett.com/2012/03/crystal-cox.html>) points out that "Crystal Cox calling herself an 'investigative blogger' is like a mobster with a molotov cocktail calling himself an 'arson investigator'."

One more thing – a google search (<http://search.avg.com/?d=4dc5dbb6&i=23&tp=chrome&q=marc+randazza&lng=en-us&nt=1&snd=pg>) for Marc Randazza turns up nothing from Crystal Cox on the first two pages of search results. It

appears that Cox's smear campaigns are not so effective when she is attacking a First Amendment lawyer with an established web presence that includes a network of bloggers who support him.

More on Crystal Cox:

A blogger not like us (<http://blog.simplejustice.us/2012/03/30/a-blogger-not-like-us.aspx?ref=rss>)

Crystal Cox is not a member of the media (<http://siouxsielaw.com/2012/03/31/crystal-cox-is-not-a-member-of-the-media/>)

"Investigative Journalist" Crystal Cox attacks Attorney Kevin D. Padrick (<http://www.sequenceinc.com/fraudfiles/2012/03/investigative-journalist-crystal-cox-attacks-attorney-kevin-d-padrick/>)

Judge rules, again, that blogger Crystal Cox is not a journalist. You know why? Because she ISN'T a journalist. (<http://randazza.wordpress.com/2012/03/30/judge-rules-again-that-blogger-crystal-cox-is-not-a-journalist-you-know-why-because-she-isnt-a-journalist/>)

Crystal Cox – Investigative Blogger? No, more like a Scammer and Extortionist (<http://phillylawblog.wordpress.com/2012/03/30/crystal-cox-investigative-blogger-no-more-like-a-scammer-and-extortionist/>)

Why an investment firm was awarded \$2.5 Million after being defamed by a blogger (<http://www.forbes.com/sites/kashmirhill/2011/12/07/investment-firm-awarded-2-5-million-after-being-defamed-by-blogger/>)

Crystal Cox is not a blogger (<http://saltydroid.info/crystal-cox-is-not-a-blogger/>)

*Blogging about blogging* (<http://www.trialtheory.com/category/blogging-about-blogging/>), *Ethics* (<http://www.trialtheory.com/category/ethics/>), *First Amendment* (<http://www.trialtheory.com/category/first-amendment/>)

([HTTP://TWITTER.COM/INTENT/TWEET?STATUS=CRYSTAL](http://twitter.com/intent/tweet?status=CRYSTAL)

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TTP://WWW.FACEBOOK.COM/SHARER/SHARER.PHP?

[HTTP://WWW.TRIALTHEORY.COM/BLOGGING-ABOUT-BLOGGING/CRYSTAL-COX/&T=CRYSTAL](http://www.trialtheory.com/blogging-about-blogging/crystal-cox/&t=CRYSTAL)

X) g+ ([HTTPS://PLUS.GOOGLE.COM/SHARE?](https://plus.google.com/share?)

L=HTTP://WWW.TRIALTHEORY.COM/BLOGGING-ABOUT-BLOGGING/CRYSTAL-COX/) @

Exhibit 5

# Philly Law Blog

Represent.

## The Evolution of Crystal Cox: Anatomy of a Scammer



(<https://phillylawblog.files.wordpress.com/2012/04/crystal-cox-blogger.jpg>)

"Does anyone out there want me to write defamatory stuff about them and then buy my reputation management services to remove it? YOU CAN PAY ME IN STRAIGHT CASH HOMIE!"

Today I'm here to shine a little sunlight and tell you the entire story of Obsidian v. Cox, the matter touted as "bloggers aren't journalists."

Often, the truth is much stranger, and sicker, than fiction...

This is how Crystal Cox's scam works generally

(<http://ia700403.us.archive.org/9/items/gov.uscourts.ord.101036/gov.uscourts.ord.101036.123.0.pdf>)

Cox calls herself an investigative blogger / journalist. She posts a bunch of negative stuff about you on the internet. Then she buys a bunch of domain names about you, your family, and your business to make sure all her posts are at the top of a Google search. But lucky for you, Cox also happens to be a "reputation management specialist." Cox then offers to sell you "reputation management services" to clean it all up to the tune of \$2500 a month.

As Carlos Miller aptly put it (<http://www.pixiq.com/article/montana-blogger-must-start-acting-like-a-journalist>), Crystal Cox "is the cyber equivalent of the mob goons who firebomb your business, before demanding protection money."

Not surprisingly, a court found this kind of behavior is not protected speech in Obsidian v. Cox.

Exhibit 7



You may remember that over the weekend I wrote a piece about Crystal Cox (<http://www.popehat.com/2012/04/02/the-new-york-times-has-crystal-coxs-number-now/>), when Cox went after Marc Randazza's three year old (<http://randazza.wordpress.com/2012/03/30/judge-rules-again-that-blogger-crystal-cox-is-not-a-journalist-you-know-why-because-she-isnt-a-journalist/>) daughter after offering to sell Randazza (<http://www.randazza.com>) "reputation management" services which he declined.

Yes, you read that right – apparently Crystal Cox went after a three year old when Randazza wouldn't buy reputation management services.

At this point, it's old news that attorney Kevin Padrick and Obsidian Financial got a \$2.5m verdict against Cox (<http://randazza.wordpress.com/2012/03/30/judge-rules-again-that-blogger-crystal-cox-is-not-a-journalist-you-know-why-because-she-isnt-a-journalist/>) when she tried the same shakedown on them. In the defamation lawsuit, Padrick and Obsidian contended that Cox made several websites containing false statements about then company and Padrick. Then Cox, in a truly shocking email, offered to sell Obsidian and Padrick (<https://phillylawblog.files.wordpress.com/2012/04/privileged-communication-aman-and-cox2.pdf>) "reputation management" services for \$2500 a month. The linked email explains in gruesome detail exactly how Crystal Cox's scam works.

Now Crystal Cox is angry that the email is now in the public domain, and she feels her own words paint her in a bad light:

I assumed our Communication was under these "Rules", and in December of 2011, David Aman, Tonkon Torp Law Firm emailed this Private, Privileged, Communication between "Counsel" to Forbes and to Seattle Weekly and possibly the New York Times and other Outlets.

...

The motive is certainly with actual malice, certainly is defaming, paints me in False Light, is misleading to the masses in major media publications, violates my rights to privacy, accuses me of a crime, endangers my life, incites a riot against me and puts me under huge duress for no reason as THEY had already WON their Case, and I was not on Trial for that ONE EMAIL in any way. Nor had I been charged with a Crime.

Sadly, some members (<http://www.poynter.org/latest-news/top-stories/155809/debate-about-crystal-cox-blogging-case-misses-a-key-legal-point/>) of the media ([http://blogs.seattleweekly.com/dailyweekly/2011/12/crystal\\_cox\\_oregon\\_blogger\\_isn.php](http://blogs.seattleweekly.com/dailyweekly/2011/12/crystal_cox_oregon_blogger_isn.php)) have played this story out in a way to suggest that bloggers don't have First Amendment protections. Indeed, this became the "bloggers aren't journalists" (<http://www.dankennedy.net/2012/01/06/appeal-filed-in-bloggers-arent-journalists-case/>) story in some news outlets. But that simply isn't the case. The truth is that this is the "Crystal Cox is not a journalist story because Cox tried to shake down people down and got burned for it" case.

At first, people were scared to write about Crystal Cox for fear of her doing the same to them. Too bad for Crystal Cox that there are people out there like Scott Greenfield (<http://blog.simplejustice.us/2012/03/30/a-blogger-not-like-us.aspx>), Popehat (<http://www.popehat.com/2012/03/30/investigative-journalist-crystal-coxs-latest-target-an>

enemys-three-year-old-daughter/), and Mark Bennett (<http://blog.bennettandbennett.com/2012/03/crystal-cox.html>), who aren't exactly scared of dispensing the truth. Scott Greenfield recently broke the silence, and then the rest of the blogosphere followed. Marc Randazza wrote about what Cox did to his wife and 3 year old (<http://www.popehat.com/2012/03/30/investigative-journalist-crystal-coxs-latest-target-an-enemys-three-year-old-daughter/>) child. Popehat helped lead the charge to the truth (<http://www.popehat.com/2012/03/30/investigative-journalist-crystal-coxs-latest-target-an-enemys-three-year-old-daughter/>). The New York Times (<http://mediadecoder.blogs.nytimes.com/2012/04/02/judge-clarifies-that-bloggers-can-be-journalists-just-not-one-in-particular/>) and Forbes (<http://www.forbes.com/sites/davidcoursey/2012/03/29/are-bloggers-really-journalists-not-if-they-ask-for-money/>) followed suit by writing the truth about Crystal Cox – that making defamatory posts and then demanding money for “reputation management” to take it down is not protected speech. David Carr, a writer for the New York Times specifically wrote a piece about how Cox tried the scam (<http://mediadecoder.blogs.nytimes.com/2012/04/02/judge-clarifies-that-bloggers-can-be-journalists-just-not-one-in-particular/>) on him. Heroically, blogger Kashmir Hill wouldn't be silenced (<http://www.forbes.com/sites/kashmirhill/2012/04/02/ugly-new-reputation-smearing-tactic-going-after-a-toddlers-internet-footprint/>) when it comes to Crystal Cox, and neither would the Salty Droid (<http://saltydroid.info/crystal-cox-is-not-a-blogger/>) or our friends over at the Fraud Files (<http://www.sequenceinc.com/fraudfiles/2012/03/investigative-journalist-crystal-cox-attacks-attorney-kevin-d-padrick/>) blog.

Crystal Cox's critics are growing by the day and the truth is coming out.

But I've been wondering... just why was Crystal Cox so interested in Obsidian Financial and Kevin Padrick in the first place? How did we get to this point...?

It's still not entirely clear what Cox's motivations were. Greed? Love? Perhaps both?

I dunno.

Crystal Cox's involvement with Kevin Padrick is a kind of a long, weird, and scary story. So pull up a chair, make yourself a cup of coffee, and put on a cheesesteak hat ([https://fbcdn-sphotos-a.akamaihd.net/hphotos-ak-ash4/306120\\_10150776896485730\\_743870729\\_11999267\\_1654067672\\_n.jpg](https://fbcdn-sphotos-a.akamaihd.net/hphotos-ak-ash4/306120_10150776896485730_743870729_11999267_1654067672_n.jpg)), because I'm going to take you people through a dark and scary trip down the Crystal Cox rabbit hole and you can judge for yourself...

. . Siouxsie Law . .

Good Lawyers Wear Black

## Crystal Cox is not a member of the media

If you are a blogger you should care about this case. But, maybe not as much as mainstream media would have you think.

In *Obsidian Finance Group v. Cox*, a federal judge ruled that Crystal Cox, a woman who refers to herself as an "investigative blogger," was not eligible for the legal protections afforded to journalists in Oregon, and the Court allowed a \$2.5 million defamation verdict against Cox to stand. By way of background, Oregon law protects journalists from defamation suits unless the individual claiming to be defamed first requests a retraction. Cox had argued that she was eligible for protection under the Oregon law because she is a blogger, and asked the judge to set aside the verdict.

The coverage of the court's ruling has, for the most part, been flawed and wrong. Many have characterized this as the "bloggers are not journalists" ruling. If this were the ruling, it would make sense that bloggers everywhere should be freaking out about it. But that is not the court's ruling. And those characterizing it as such miss a critical piece in the court's analysis. Nothing Cox did related to media and/or blogging.

What Cox did, according to the ruling, is publish defamatory posts on websites about plaintiffs, and then when plaintiffs complained about the posts, Cox would offer to fix and repair the information for a small fee. That is more like extortion; it's not blogging.

In its most recent order, the Court says as much (via Legal Satyricon). Judge Hernandez explains:

Exhibit 13

Exhibit 13

In my discussion, I did not state that a person who "blogs" could never be considered "media." I also did not state that to be considered "media," one had to possess all or most of the characteristics I recited. Rather, I confined my conclusion to the record defendant created in this case and noted that defendant had presented no evidence as to any single one of the characteristics which would tend to establish oneself as a member of the "media." In addition, the uncontroverted evidence at trial was that after receiving a demand to stop posting what plaintiffs believed to be false and defamatory material on several websites, including allegations that Padrick had committed tax fraud, defendant offered "PR," "search engine management," and online reputation repair services to Obsidian Finance, for a price of \$2,500 per month. Ex. 33. The suggestion was that defendant offered to repair the very damage she caused for a small but tasteful monthly fee. This feature, along with the absence of other media features, led me to conclude that defendant was not media. (Op. at 13-14)

The Court's decision is entirely consistent with the view that bloggers are covered by shield laws, but extortion (or whatever you want to call what Cox does ) is not.

To read a personal and detailed account of just how Ms. Cox operates her scheme, click here.

Kash Hill at Forbes has a great piece on this: "Yes, there are bloggers who are journalists. But just because you have a blog doesn't mean that what you do is journalism."

~ by [siouxsielaw](#) on March 31, 2012.

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## 4 Responses to "Crystal Cox is not a member of the media"

1. Wow.... just.... the people things do for \$\$\$\$

*Lady Bethesda @ Bethesda's Preoccupations* said this on March 31, 2012 at 3:41 pm | Reply

2. [...] Crystal Cox – Investigative Blogger? No, More Like A Scammer and Extortionist A Blogger Not Like Us Judge rules, again, that blogger Crystal Cox is not a journalist. You know why? Because she ISN'T a journalist. How Crystal Cox Is Helping To Prove The Strength of the First Amendment Investigative Journalist Crystal Cox Attacks Kevin D. Padrick Crystal Cox Crystal Cox Is Not a Member of the Media [...]

"Investigative Journalist" Crystal Cox's Latest Target: An Enemy's Three-Year-Old Daughter | Popehat said this on March 31, 2012 at 3:54 pm | Reply

3. Very informative post.

I think to be considered a "journalist" and afforded the protections thereof, you have a certain obligation to remain objective and report verifiable facts (that have been cross checked) and a journalist would not offer other services from another business venture they have as it would be a conflict of interest.

A line was crossed by offering these services, especially if her post had been negative (or defamatory) and then offer to "fix" them for a monthly fee fee – it does appear to be extortion even if this was not the original intent – it just doesn't pass the smell test of what a reasonable person would do.

I tried to get through some of what she posted, but it was giving me a headache with all of the capitalization that doesn't belong and incoherent choppy sentences. If I was checking a company out on the internet and ran across this type of writing, I wouldn't find it to be a credible source.

knom14 said this on March 31, 2012 at 6:22 pm | Reply

4. [...] Crystal Cox Is Not a Member of the Media [...]

New York Times chimes in on the Crystal Cox Story « The Legal Satyricon said this on April 2, 2012 at 10:21 am | Reply

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Exh. 3 + 13

Exh. 3 + 13



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- [Is the Texas Wealth Club a Scam? \[Updated 23 March\]](#)
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..: They Like Me. They Really Like Me. ::

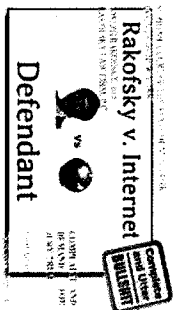


Best Criminal-  
Blawg Post of 2011

EXHIBIT 12



2008 ABA Journal Top Crime Blawg



## • :: Dennis Elias's Latest Tweet ::

- JuryVox: RT @SoloPracticeU: Is Your Body Language Killing Your Career (or your credibility w/ your jurors?) <http://t.co/Fj8NCDVg#SPU>

## • :: Injustice News Twitter Feed ::

- InjusticeNews: Waterloo IA cop sued by man who suffered head injuries when tasered 2x during false interference arrest [3] <http://t.co/tKNjisyax>
- InjusticeNews: RCMP subject of class action sexual harassment lawsuit, initiated by ex-mountie alleging 20yrs of harassment [0] <http://t.co/FpNm0Sk>
- InjusticeNews: Boston MA settles suit for \$170k to atty Simon Glick who was arrested for recording police in public [0] <http://t.co/ntPbu3aw>

## Crystal Cox

Back in December (ahem: three days before Carr's article) I was unimpressed with the stir over the \$2.5 million dollar libel judgment against Crystal Cox:

A non-journalist like Cox is not allowed to defame a person. But—and this is crucial to an understanding of this case—a journalist is *also* not allowed to defame a person.

.....

If Cox had been a journalist, Padrick would have had to demand that she retract her false statements before he could sue her. Cox still—even with a huge judgment against her—has not retracted her statements, so it's unlikely that she would have when such a judgment was only speculative.

Yes, the court held that, under Oregon's journalist-shield law, Cox was not a journalist. My opinion of that? Meh. Don't defame

people.

Add to that opinion, "don't extort people." It turns out that after Cox posted defamatory information against her victim, she hit him up for money to undo the damage she'd done. From the court's opinion denying new trial:

[T]he uncontroverted evidence at trial was that after receiving a demand to stop posting what plaintiffs believed to be false and defamatory materials on several websites, including allegations that Padrick had committed tax fraud, defendant offered 'PR,' 'search engine management,' and online reputation repair services to Obsidian Finance, for a price of \$2,500 per month," Hernandez wrote.

The suggestion was that defendant offered to repair the very damage she caused for a small but tasteful monthly fee. This feature, along with the absence of other media features, led me to conclude that defendant was not media."

(via Simple Justice).

Crystal Cox may think she's very clever for coming up with this scheme, but it's as old as time. It's extortion, more specifically a protection racket, and extortion is against the law. Here's the federal statute, 18 USC 875(d) (via Popehat):

(d) Whoever, with intent to extort from any person, firm, association, or corporation, any money or other thing of value, transmits in interstate or foreign commerce any communication containing any threat to injure the property or reputation of the addressee or of another or the reputation of a deceased person or any threat to accuse the addressee or any other person of a crime, shall be fined under this title or imprisoned not more than two years, or both.

That Crystal Cox's threats are implicit rather than explicit makes no difference. Crystal Cox calling herself an "investigative blogger" is like a mobster with a molotov cocktail calling himself an "arson investigator."

Crystal Cox tried to extort Marc Randazza by registering multiple domain names including his name and offering him the same "services" that she had offered to her victim in the lawsuit. When Randazza ignored her, she registered his wife's name as a domain name. When this didn't get a rise, she registered his three-year-old daughter's name.

Crystal Cox is, as Ken writes, "the sort of person who registers domains in the name of the three-year-old daughters of her enemies."

So what do you do about such a vile person?

Padrick took her to court, and got a seven-figure judgment (probably uncollectable) against her.

One could encourage the FBI to investigate her extortion racket, and the right person making a complaint to the right agent might put her in an AUSA's sights.

Exhibit 12



Randazza, who's a First-Amendment badass, thinks that the answer is "more speech".

I'm just dandy. The campaign is now about exposing her so that she can't engage in her extortion scheme against anyone else. Popehat is leading the charge, and naturally, the Legal Satyricon is next to Popehat, shields to shoulders. Sequence, Inc. is part of the solution too, by exposing the attacks on Kevin Padrick, and shining a light on Cox's widespread extortion scheme, so is Philly Law Blog, and before any of the law blogger community jumped on the bandwagon, Salty Droid was out there all by himself, shining a little light — which is now accompanied by more and more lights.

Sunshine is the best disinfectant.

The cure for bad speech is more speech.

I hope Randazza is right.

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## About The Author



Mark Bennett

Mark Bennett got his letter of marque from the Supreme Court of Texas in May 1995. He is famous for having no sense of humor when it comes to totalitarianism.

Exhibit 12

**P**

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RRD R 0215